

COLCHESTER PLANNING COMMISSION

MINUTES OF THE MEETING

OCTOBER 20, 2009

PRESENT: Tom Mulcahy, Peter Larrabee, Rich Paquette and Pam Loranger

ALSO PRESENT: Sarah Hadd, Town Planner

1. Call to Order

T. Mulcahy called the meeting to order at 7:05 p.m.

2. Shipman Hill Neighborhood Discussion

T. Mulcahy and S. Hadd provided an overview of the area being discussed. T. Mulcahy explained that the purpose of this discussion is to provide property owners with an opportunity to inform Staff and the Commission of any future plans for their properties and to identify any issues that they may be having with their property as it relates to the current zoning.

Rich Paquette provided background information on the Agricultural Mixed Use District and discussed the work that was done in 2005 by the Planning Commission. He also shared with the public the work that the Commission has recently done in the village where there are many commercial and residential properties that are not zoned properly. R. Paquette explained that the AMU District is new and now is the time when the boundary line can be shifted to provide some relief and benefits to property owners. The idea of the AMU District is to be custom-designed in terms of the Agricultural component.

S. Hadd asked if any members of the public that were present are zoned Agricultural which requires 25 acres per lot and own a smaller lot in the Agricultural District. If so, has anyone had any issues with trying to obtain a building permit and not being able to because the proposed construct could not meet setbacks. S. Hadd identified several homes along Lavigne Road and Malletts Bay Avenue that are zoned Residential or Agricultural and explaining that the small lots zoned AGR can't meet setbacks. This review process is an effort to explore options to see if a zone change can be made that would provide relief for the non-conforming lots. S. Hadd noted that the Agricultural District is a very strict zone and should not have commercial endeavors and residential homes and that is the reason that the Town has developed the AMU District.

Laurie Bombard discussed the uses on their property (Mazza's Farm and Greenhouse) and questioned whether she should request that their property be rezoned to AMU. The Commission explained the benefits that a property owner would see if they rezoned their property from AGR to AMU.

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T. Mulcahy noted that the more information that the Commission receives from the property owners in terms of what they want to see in the future for their property or what issues they are facing now in terms of use or development the better prepared the Commission will be to address possible rezoning of the area. Ideas and information are needed to move forward with the process.

S. Hadd reported that the following requests have been received:

1. Letter from David Burke of O’Leary-Burke, dated October 13, 2009, on behalf of Brigante Living Trust and Sheppard Custom Home officially requesting that the Planning Commission consider rezoning Tax Map 6, Parcel 8 to R-2 Residential.
2. Email from Dave Mele on October 12, 2009 and on behalf of his mother Ann Mele, owners of Tax Map 6, Parcels 9 and 9-1 requesting that they be rezoned from AGR to R2 noting they are residential use properties and presently non-conforming.

The Commission thanked the public for their participation.

S. Hadd reported that she did speak with the Tax Assessor at the request of the Commission. The Tax Assessor explained that tax implications are not triggered until such time that actual land development is going to occur. For example, if the Brigante property that is zoned Agricultural was rezoned to Residential and being reduce from 25 acres per parcel to .5 acre parcel and remained undeveloped there might be a little increase but the real tax implication would not be applied until such time when the property has completed the development review process and the number of new buildable lots have been identified.

The Commission continued their discussion. Areas of discussion included, but was not limited to, tax implications relating to rezoning, possibly extending the R2 boundary line and a request of Staff to provide a point by point of properties along Malletts Bay Avenue identifying businesses and residences.

3. Minutes of October 6, 2009

A **motion** was made by R. Paquette and **seconded** by P. Loranger to approve the minutes of October 6, 2009. The **motion passed** with a vote of 4 – 0.

4. Review Future Agenda

November 3rd:

- Review previous comments on current Regional Plan
- Invite Tax Assessor for purpose of discussion and commenting on the AMU District;
- Point by Point breakdown of what might be for Supplement 24 – identifying uses around the High School

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November 17th:

- AMU and identify area for Supplement 25
- Review of Summary of Public Forum, Commercial District (Town Plan language for Shipman Hill) June 17, 2003

5. Packet Information

The Commission reviewed the information that they received in their packets.

ADJOURNMENT

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 8:30 p.m.

Minutes taken and respectfully submitted by Lisa Riddle.

Approved this 3rd day of November 2009

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_____	Planning Commission